IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1327 OF 2001
IN
SUMMARY SUIT NO.3718 OF 2001

Kosmos Graphics ..Plaintiff

Vs.

Kalpana Art Studio ..Defendants

Mr.D.R.Mehta i/b Dhruv Liladhar and Co. for the plaintiff

CORAM : S.U.KAMDAR, J
DATED : 3RD OCTOBER, 2005

P.C.:

1. The present Notice of Motion is taken out for setting aside the order dt.11.3.03 dismissing the summons for judgment for default and motion has been taken out for restoration thereof. Defendants are served with the motion. None appears for the defendants. The ground set out in affidavit in reply does not make out any case. However, with a view to given a chance to the plaintiffs to be heard on merits. I set aside the aforesaid order to restore the Summons fro Judgment to file and place on board on Monday, 10.9.05 on a condition precedent that plaintiff shall pay cost of Rs.10000/- to the Maharashtra State Legaal Aid

Servoces Authority.